

AMENDED IN ASSEMBLY SEPTEMBER 11, 2015

AMENDED IN ASSEMBLY JUNE 2, 2015

AMENDED IN ASSEMBLY APRIL 30, 2015

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 708

Introduced by Assembly Member Jones-Sawyer
(Coauthor: Assembly Member McCarty)
(Coauthors: Senators Leno and Pavley)

February 25, 2015

An act to add Chapter 13 (commencing with Section 108950) to Part 3 of Division 104 of the Health and Safety Code, relating to consumer product safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 708, as amended, Jones-Sawyer. Consumer products: content information.

Existing law regulates the labeling and use of various consumer products, including toys and toxic household products.

This bill would, commencing January 1, 2017, require the manufacturer of ~~designated consumer~~ *cleaning* products for retail sale in this state to disclose ~~the ingredients~~ *each ingredient* contained in the product on the product label, as specified, post the product ingredient information and certain additional information ~~about any potential health impacts~~ on the manufacturer's Internet Web site, and provide the Internet Web site and page address on the product label, along with a prescribed statement.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 13 (commencing with Section 108950) is added to Part 3 of Division 104 of the Health and Safety Code, to read:

CHAPTER 13. CHEMICALLY FORMULATED CONSUMER PRODUCTS

108950. For purposes of this chapter, the following definitions shall apply:

(a) “Chemically formulated consumer product” means a consumer-product product, as defined in subdivision (e) of Section 25251, but excluding home appliances, that is manufactured from chemicals or chemical compounds to be used by household, institutional, commercial, and industrial consumers without further processing for specific purposes. For the purposes of this subdivision, dilution by the consumer is not considered further processing.

~~(b) “Consumer product” has the same meaning as is specified in subdivision (e) of Section 25251, but does not include home appliances.~~

~~(c) “Designated consumer~~

(b) “Cleaning product” means any product included in the following categories:

(1) “Air care product” means a chemically formulated consumer product designed, or labeled to indicate that the purpose of the product is, to mask odors or to freshen, clean, scent, or deodorize the air.

(2) “Automotive product” means a chemically formulated consumer product designed, or labeled to indicate that the purpose of the product is, to maintain the appearance of a motor vehicle, as defined in Section 670 of the Vehicle Code, including products for washing, waxing, polishing, cleaning, or treating the exterior or interior surfaces of motor vehicles. “Automotive product” does not include automotive paint or paint repair products.

(3) ~~“Cleaning~~ “General cleaning product” means a soap, detergent, or other chemically formulated consumer product

1 designed, or labeled to indicate that the purpose of the product is,
2 to clean or disinfect surfaces, including, but not limited to, floors,
3 furniture, countertops, showers and baths, or other hard surfaces,
4 such as stovetops, microwaves, and other appliances, fabric care,
5 or dish or other ware washing.

6 (4) "Polish or floor maintenance product" means a chemically
7 formulated consumer product, such as polish, wax, or a restorer,
8 designed, or labeled to indicate that the purpose of the product is,
9 to polish, protect, buff, condition, temporarily seal, or maintain
10 furniture, floors, metal, leather, or other surfaces.

11 ~~(d)~~

12 (c) "Ingredient" means a chemical in a ~~designated consumer~~
13 *cleaning* product.

14 ~~(e)~~

15 (d) "Manufacturer" means a person or entity that manufactures,
16 assembles, produces, packages, repackages, or relabels a ~~designated~~
17 ~~consumer cleaning~~ product that is sold or used in this state.

18 108952. The manufacturer of a ~~designated consumer cleaning~~
19 product manufactured after January 1, 2017, for retail sale in this
20 state, shall disclose each ingredient contained in the product on
21 the product label, post the product ingredient information on the
22 manufacturer's Internet Web site, and provide the Internet Web
23 site and page address on the label of the ~~designated cleaning~~
24 product along with a statement directing the consumer to the
25 Internet Web site for information concerning ingredients contained
26 in the product. *Each ingredient shall have an explanation of its*
27 *purpose for being in the cleaning product on the manufacturer's*
28 *Internet Web site.*

29 108954. (a) (1) For purposes of disclosing each ingredient
30 contained in the ~~designated consumer cleaning~~ product on the
31 product label, the 20 most ~~prevalent~~ *predominant* ingredients shall
32 be listed ~~in order of weight, as measured by the ingredient's~~
33 ~~percentage weight of the total weight of all ingredients in the~~
34 ~~product.~~ *in descending order.* If there are more than 20 ingredients,
35 the label shall ~~also state the number of remaining ingredients and~~
36 ~~that they are that a listing of all ingredients is~~ available at the
37 manufacturer's Internet Web site, ~~except that if site.~~

38 (2) *In addition to paragraph (1), if the product contains any*
39 *additional ingredient listed on the informational list of candidate*
40 *chemicals posted on the Internet Web site of the department*

1 pursuant to Section 69502.3 of Title 22 of the California Code of
2 Regulations, that ingredient shall be listed on the label. ~~The label~~
3 *in descending order of predominance.*

4 (3) ~~The manufacturer is not required to list the weight of an~~
5 ~~ingredient in the product. *product on the label or the*~~
6 ~~manufacturer's Internet Web site.~~

7 (4) *Notwithstanding any other provision of this subdivision, an*
8 *ingredient present at a concentration of not more than 1 percent*
9 *may be listed without respect to order of predominance.*

10 ~~(b) (1) Ingredients in a designated consumer product shall be~~
11 ~~identified by the Chemical Abstract Service (CAS) number and~~
12 ~~either the Consumer Specialty Products Association Consumer~~
13 ~~Product Ingredients Dictionary (CSPA dictionary) name or the~~
14 ~~International Nomenclature Cosmetic Ingredient (INCI) name. If~~
15 ~~there is not a CSPA dictionary name or INCI name, then the~~
16 ~~ingredients in a designated consumer product shall be identified~~
17 ~~by the CAS number and the International Union of Pure and~~
18 ~~Applied Chemistry (IUPAC) name. If there is no CSPA dictionary~~
19 ~~name, INCI name, or IUPAC name, then the product shall be~~
20 ~~identified by the CAS number and common chemical name.~~

21 ~~(2) In identifying the ingredient name, the manufacturer shall~~
22 ~~also identify which of the nomenclature references were used for~~
23 ~~ingredient identification.~~

24 ~~(3) Each ingredient shall have an explanation of its purpose for~~
25 ~~being in the designated consumer product on the manufacturer's~~
26 ~~Internet Web site.~~

27 (b) (1) *An ingredient shall be listed by its Consumer Specialty*
28 *Products Association (CSPA) Consumer Product Ingredients*
29 *Dictionary name. If a CSPA Consumer Product Ingredients*
30 *Dictionary name is not available, an ingredient shall be listed by*
31 *its International Nomenclature Cosmetic Ingredient (INCI) name.*
32 *If an INCI name is also not available, an ingredient shall be listed*
33 *by its International Union of Pure and Applied Chemistry (IUPAC)*
34 *name. If an IUPAC name is also not available, an ingredient shall*
35 *be listed by its common chemical name and the Chemical Abstract*
36 *Service (CAS) number.*

37 (2) *The CAS number of an ingredient need only be included on*
38 *the ingredient list provided on the manufacturer's Internet Web*
39 *site.*

1 (c) If the product contains a chemical listed on the informational
2 list of candidate chemicals posted on the Internet Web site of the
3 department pursuant to Section 69502.3 of Title 22 of the
4 California Code of Regulations, the manufacturer shall post on its
5 Internet Web site a statement that additional information about
6 any potential health impacts of the ingredients may be obtained
7 from the Internet Web sites for the following and shall post a link
8 to the Internet Web sites:

9 (1) The informational list of candidate chemicals posted on the
10 Internet Web site of the department pursuant to Section 69502.3
11 of Title 22 of the California Code of Regulations.

12 (2) The Household Products Database of the National Library
13 of Medicine.

14 *(d) The manufacturer shall update its product labels, if*
15 *necessary, no later than one year after a new chemical is added*
16 *to the list of candidate chemicals posted on the Internet Web site*
17 *of the department pursuant to Section 69502.3 of Title 22 of the*
18 *California Code of Regulations.*